

REMARKS

In the Office Action mailed May 3, 2005, claims 1-3, 8-12, 16-17, and 20-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,596,625 ("LeBlanc") in view of U.S. Patent No. 5,323,444 ("Ertz"). Additionally, claims 4-7, 13-15, 18-19 and 20-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over LeBlanc in view of Ertz, and further in view of U.S. Patent No. 6,233,445 ("Boltz"). Applicant respectfully traverses the claim rejections and requests reconsideration.

In claim 1, Applicant recites a method for managing call traffic. The method includes receiving a request to connect a first call from an originating station to a destination. The method further includes making a determination that at least a threshold number of calls to the destination have originated from an area where the originating station is located. The method further includes routing the first call to a service platform for alternative treatment in response to the determination. As a result, heavy call loads to emergency call centers may be more effectively managed. (See, e.g., Applicant's Specification, page 5, lines 4-10.)

The Examiner states that LeBlanc does not explicitly teach making a determination that at least a threshold number of calls to the destination have originated from an area where the originating station is located. (Office Action, page 3.) Then the Examiner concludes that it would be obvious to combine LeBlanc with Ertz. (Office Action, page 3.) The combination of LeBlanc and Ertz must show or suggest each and every element of Applicant's claimed invention. (See, e.g., MPEP § 2143.) However, Applicant believes that the combination of LeBlanc and Ertz fails to show or suggest each and every element of Applicant's claimed invention.

LeBlanc describes a method for routing emergency calls during busy interface channel conditions. When all interface channels of a base station closest to an emergency mobile user are busy, the method begins by determining the location of the emergency mobile user. (See, e.g., LeBlanc, Abstract.) In addition, the method includes identifying all other mobile units communicating with the base station. (See, e.g., LeBlanc, Abstract.) The method further includes determining whether any neighboring base stations can support additional mobile units. (See, e.g., LeBlanc, Abstract.) If any neighboring base stations can support additional mobile units, one or more *non-emergency mobile users* are transferred to these neighboring base stations, freeing up the base station closest to the emergency mobile user. (See, e.g., LeBlanc, column 19, lines 37-44.) "In this manner, mobile units are transferred from one base station to another so as to open up a voice channel for the emergency caller at its closest base station." (LeBlanc, column 19, lines 47-50.)

As the Examiner states in the Office Action and as described above, LeBlanc does not show or suggest making a determination that at least a threshold number of calls to the destination have originated from an area where the originating station is located. (See, Office Action, page 3.) LeBlanc also does not show or suggest routing the emergency call to a service platform for alternative treatment in response to making the determination. In contrast to the claimed invention, the emergency call is not routed to a service platform, but is rather connected to the closest base station after non-emergency calls are routed to other base stations. Thus, in LeBlanc's method, the emergency call receives normal treatment at the closest base station; only the *non-emergency* calls receive alternative treatment.

Ertz fails to overcome the deficiencies in LeBlanc as Ertz also does not show or suggest (i) making a determination that a threshold number of calls to the destination have originated from an area where the originating station is located, and (ii) routing the first call to a service platform for alternative treatment in response to the determination.

Ertz describes a last chance routing method that includes conducting a search of public safety answering point (PSAP) destinations to identify a PSAP that has not already been searched. (See, e.g., Ertz, column 5, lines 29-35.) Ertz's method further includes making a determination as to whether the identified PSAP is available to handle an emergency telephone call. (See, e.g., Ertz, column 5, lines 36-40.) This determination is based upon whether the identified PSAP is at call capacity at the time the emergency call is to be routed. (See, e.g., Ertz, column 5, lines 40-42.)

As described above, Ertz does not teach making a determination that a threshold number of calls to the destination have originated from an area where the originating station is located. In particular, Ertz does not even show or suggest making a determination whether *any* call has originated from an area where the originating station is located. Instead, Ertz teaches making a determination whether an incoming emergency call may be routed to a PSAP based upon the PSAP's call capacity. The call capacity of a PSAP in Ertz is different than a threshold number of incoming emergency calls from a particular area where the originating station is located. The claimed threshold is *not* a limit on the number of incoming emergency calls that can be routed to a PSAP. A PSAP may be able to handle all of the emergency calls from a particular area. However, handling these emergency calls may impact the PSAP's ability to accept calls from other areas.

Moreover, Boltz fails to overcome the deficiencies of both LeBlanc and Ertz. In particular, Boltz does not teach routing a first call to a service platform for alternative treatment in response to a determination that at least a threshold number of calls to the destination have originated from an area where the originating station is located.

Boltz describes establishing emergency calls within a mobile telecommunications network. When a request for emergency service is received by a mobile switching center (MSC), a determination is made as to the current location of the mobile station requesting the emergency call connection. (See, e.g., Boltz, column 1, lines 49-53.) If a threshold number of emergency call connections have been received from the same area as the mobile station, the mobile station receives an announcement message from the MSC or the call destination (i.e., PSAP) indicating that the emergency has been reported. (See, e.g., Boltz, column 2, lines 7-11; column 4, lines 39-55.) The mobile station may then terminate the emergency call connection or remain on-line to be connected to the call destination. (See, e.g., Boltz, column 1, lines 59-62.)

In contrast to the claimed invention, Boltz does not show or suggest routing the call to a service platform. Boltz merely shows sending an announcement to the mobile station. As a result of the announcement, a user can either terminate the call or remain on-line to receive normal call-connection treatment.

Accordingly, the combination of LeBlanc, Ertz and Boltz fails to teach routing a first call to a service platform for alternative treatment in response to a determination that at least a threshold number of calls to the destination have originated from an area where the originating station is located. At best, the combination shows sending an announcement based on a determination that a threshold number of calls have originated

from an area where the originating station is located. Because the combination does not show or suggest routing the first call to a service platform for alternative treatment based on a determination that at least a threshold number of calls to the destination have originated from an area where the originating station is located, Applicant submits claim 1 is not obvious in light of the combination of LeBlanc, Ertz, and Boltz.

Independent claims 8, 16, 25, and 26 also include the element of routing the first call to a service platform based on a threshold determination as required in claim 1. Accordingly, Applicant also submits that claims 8, 16, 25, and 26 are not obvious in light of the combination of LeBlanc, Ertz, and Boltz for at least the reasons set forth above.

Claims 2-7 depend from claim 1. Claims 9-15 depend from claim 8. Claims 17-24 depend from claim 16. Accordingly, Applicant also submits that claims 2-7, 9-15 and 17-24 are not obvious in light of the combination of LeBlanc, Ertz, and Boltz for at least the reasons set forth above.

In light of the above, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. § 103(a).

CONCLUSION

In light of the above amendments and remarks, Applicant submits that the present application is in condition for allowance and respectfully requests notice to this effect. The Examiner is requested to contact Applicant's representative below if any questions arise or she may be of assistance to the Examiner.

Respectfully submitted,

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